

12-02-04

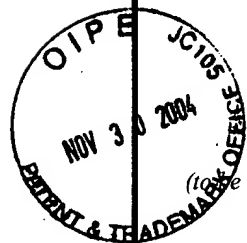
1646

PTO/SB/21 (6-99)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/903,749
		Filing Date	July 11, 2001
		First Named Inventor	Avi Ashkenazi, et al.
		Group/Art Unit	1646
		Examiner Name	Chernyshev, Olga N.
Total Number of Pages in This Submission	pgs.	Attorney Docket Number	39780-1618P2C6

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Version with Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): stamped return postcard; PTO Form 1449; copies of 8 cited references.
Remarks AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.		

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Daphne Reddy, Reg. No. 53,507 HELLER EHRMAN WHITE & McAULIFFE LLP		
Signature	<i>Daphne Reddy</i>		
Date	November 30, 2004	Customer Number:	35489/09157

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop <u>Amendment</u> , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date: November 30, 2004.			
Typed or printed name	Sandra Puljic		
Signature	<i>Sandra Puljic</i>	Date	November 30, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi, et al. Docket No.: 39780-1618P2C6  
Serial No.: 09/903,749 Group Art Unit: 1646  
Filing Date: July 11, 2001 Examiner: Chernyshev, Olga N.  
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC  
ACIDS ENCODING THE SAME**  
EXPRESS MAIL LABEL NO.: EL 993 687 310 US  
DATE MAILED: November 30, 2004

**SUPPLEMENTAL**  
**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §1.97**

**MS: AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication, except U.S. patents and patent application publications (1276 OG 55), is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §§ 1.97-1.98.

In addition, each reference listed and denoted by an asterisk (\*) have been cited in a related patent application, US Serial No. 09/905,075 (claiming PRO 211 polypeptide); Our Ref. No. 39780-1618P2C5 and/or US Serial No. 09/906,679 (claiming PRO 211 nucleic acid); Our Ref. No. 39780-1618P2C57. A copy of each reference is provided herewith. Applicants submit these documents to ensure that all references are of record and considered in all related applications. Applicants respectfully request the Examiner to acknowledge consideration of the currently submitted references by initialing and returning form PTO-1449 in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --

- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$180.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of \$180.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39780-1618P2C6).

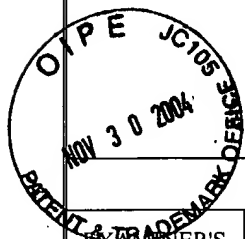
Respectfully submitted,

Dated: November 30, 2004

By: \_\_\_\_\_

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<b>INFORMATION DISCLOSURE STATEMENT</b>  <b>PTO-1449</b>		<b>ATTY. DOCKET NO.:</b> 39780-1618P2C6		<b>SERIAL NO.:</b> 09/903,749			
		<b>APPLICANT :</b> Ashkenazi, et al.					
		<b>FILING DATE:</b> 07/11/01		<b>GROUP:</b> 1646			
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	* 5,561,053	10/01/1996	Crowley	435	69.1		
	* 5,635,177	06/03/1997	Bennett et al.	424	143.1		
	* 5,891,637	04/06/1999	Ruppert	435	6		
<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 99/14241	03/25/1999	PCT	C12N	15/12	<input type="checkbox"/>	<input type="checkbox"/>
	WO 99/14327	03/25/1999	PCT	C12N	15/12		
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	253 human EST's putatively encoding proteins having similarity with EGF disclosed before 18.09.97; Host: NCBI, Database: Genbank						
	500 human EST's putatively encoding secreted or transmembrane proteins disclosed before 28.10.97; Host: NCBI, Database: Genbank.						
	* Carpenter et al., Handbook of Experimental Pharmacology; Chapter 4, The Epidermal Growth Factor Family, pp 69-171, 1990. (NRC)						
	De Boer, Willem I., et al., "Expression and Functions of EGF, FGF and TGF $\beta$ -Growth-Factor Family Members and Their Receptors in Invasive Human Transitional-Cell-Carcinoma Cells", Int. J. Cancer, Vol. 71, pp. 284-291, 1997.						
	Lusson, J., et al, "cDNA structure of the mouse and rat subtilisin/kexin-like PC5: A candidate proprotein convertase expressed in endocrine and nonendocrine cells", Proc. Natl. Acad. Sci. USA, Vol. 90, pp 6691-6695, 1993.						
	Roebroek, A., et al, "Cloning and Functional Expression of Dfurin2, a subtilisin-like proprotein processing enzyme of Drosophila melanogaster with multiple repeats of cysteine motif", J. Biol. Chem, Vol. 267, pp 17208-17215, 1992.						
EXAMINER			DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.